

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMIN GIBBS	:	CIVIL ACTION
	:	NO. 16-5465
v.	:	
	:	
THE PHILA. POLICE DEPARTMENT, et al.	:	

ORDER

AND NOW, this 20th day of September, 2017, upon consideration of a motion to dismiss the claims of plaintiff Amin Gibbs, proceeding pro se, by defendant Officer Craig Perry and a partial motion to dismiss by all defendants, Dkt. No. 16, it is ORDERED that the motion is GRANTED consistent with the accompanying memorandum of law and plaintiff's claims are DISMISSED.¹

The Clerk of Court shall mark this case as CLOSED.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.

¹ To the extent that plaintiff's claims challenge his 2014 convictions for aggravated assault, possession of firearms prohibited and carrying firearms in a public street, they are barred by Heck v. Humphrey, 512 U.S. 477, 486-87 (1994), as is plaintiff's claim for malicious prosecution. These claims are dismissed without prejudice to plaintiff filing a new civil action for damages against an appropriate defendant only in the event that plaintiff's convictions or sentence are elsewhere overturned or otherwise called into question.